



**26<sup>TH</sup> JUDICIAL DISTRICT RESTRICTION OF SERVICES PROTOCOL**

**FISCAL YEAR 2015**

**PAMELA G. SMART**

**CHIEF DISTRICT DEFENDER**

## **RESTRICTION OF SERVICES STATEMENT**

The 26<sup>th</sup> Judicial District Public Defender Office for the Parishes of Bossier and Webster (PDO) receives over 8,000 new appointments each year and provides those clients with the legal defense services guaranteed by the United States and Louisiana Constitutions. Despite diligent efforts by the PDO to reduce expenditures and increase revenues, the Public Defender Office has been unable to secure the resources necessary to provide competent legal representation for all of its clients and must begin service restriction. Service restrictions caused by insufficient funding may create a constitutional crisis for indigent defendants, who are guaranteed equal access to justice, and may have practical consequences for the efficient administration of criminal justice and for the public safety of the Bossier and Webster parish communities. The PDO deeply regrets the hardships caused by the restriction of services and will continue to work with its partners to secure adequate, sustainable funding to restore its capacity to provide constitutionally mandated public defender services for eligible clients.

## **PRECIPITATING EVENTS**

For the past ten months, the PDO has been in close communication with the judiciary of the 26<sup>th</sup> Judicial District regarding the PDO budget. We have also discussed the funding crisis with the Clerks of Court, Sheriffs, and Police Juries of both Bossier and Webster parishes as well as the District Attorney. During these meetings, the remedy of restricting services to survive the funding crisis was discussed. We have been proactive and consistent in explaining to all agencies and stakeholders that we expected shortfalls in FY 2014 and FY 2015. The PDO depends on a combination of funds from the state (through the Louisiana Public Defender Board) and locally generated revenue (primarily through special costs assessed, collected and remitted by the courts). For FY 2014, the PDO received only 71% of the revenues it anticipated receiving for that year. As a result, the office had to use approximately \$316,000 of the district's reserve fund leaving a reserve amount of approximately \$5,000.

On June 7, 2012, Act 578 of 2012 went into effect, increasing the special court costs for public defense from \$35 to \$45. The PDO projected that this revenue would generate additional revenue. However, local revenues have actually decreased since the passage of Act 578. This trend is not uncommon as many districts across the state have failed to realize the projected revenue increases associated with Act 578.

The PDO has taken a variety of measures over the last several months in anticipation of these budgetary shortfalls. Both the Bossier Parish and Webster Parish

police juries no longer require the PDO to pay any reimbursement towards transcript costs. Additionally, the Bossier Parish Police Jury assisted with some of the maintenance of the Bossier office and provided a small space in the Courthouse Annex Building for juvenile staff. We renegotiated our contracts with Westlaw for legal research and code books for attorneys, Innovative Office for the Webster parish copy machine rental, and Allied Services for trash pick-up in Bossier. The staff attorneys no longer receive reimbursement for travel to seminars and jails nor do they receive reimbursement for LSBA or local bar association dues or CLE tuition. We no longer provide services for those individuals appearing before the court for non-payment of child support. Parents charged with misdemeanors related to their children's truancy cases are now appearing on the regular misdemeanor docket rather than the special docket that the truancy program had previously mandated. Since the PDO staff attorneys now handle those cases, there is no longer a need to pay a contract attorney to do so. A staff attorney resigned from the office in July 2014 to open his own law office and was not replaced. The resulting staff now consists of a staff attorney for each of the six divisions of court and a senior attorney for all life without parole cases. We ceased providing employer-paid disability insurance and switched health insurance plans to one in which the office has a significant savings each month without reducing the quality of the plan for the employees.

The PDO is communicating with other agencies and stakeholders to ensure that both the service restriction and any other pursued remedies are the least harmful to the continuation of public defense services in Bossier and Webster parishes, while fulfilling the Constitutional and statutory rights guaranteed to our clients.

### **HISTORY OF THE PDO**

Prior to 2007, the 26<sup>th</sup> Judicial District Public Defender Office consisted of part-time attorneys and was governed by a local board. Although the PDO was able to maintain a high fund balance during that time, the PDO was essentially stagnant. Attorneys had to devote more time to private practice than PDO work because of extremely low salaries. The PDO used part-time investigators who were not always accessible. A defendant was typically in court with numerous PDO attorneys throughout the duration of his/her case resulting in no continuity. There was no full-time investigator for use by the attorneys. The office buildings needed repair. Much of the office furniture and equipment was not usable and needed to be replaced. Most importantly, the representation of the defendants to whom the PDO was appointed needed to be taken to a higher level from where it was at that time.

In 2007, with the creation of the Louisiana Public Defender Board, statewide uniform standards and practice guidelines were implemented in a much-needed effort to reform the public defender system throughout Louisiana, to ensure that the rights of all those accused of crimes were protected.

After 2007, the office began the transition to a full-time office. A full-time investigator was added to the staff to always be available for attorneys. Starting pay for attorneys was increased, resulting in the office recruiting full-time attorneys who were able to devote their full time to public defense. Because the PDO had the advantage of full-time staff attorneys, the office was able to implement changes in the district whereby the PDO attorneys were able to provide vertical representation to clients. That allowed the same attorney to be with a client throughout the court proceedings and resulted in more client-centered and competent representation. The most urgent needed repairs were made to the Bossier Parish PDO office. The Bossier Parish Police Jury also provided office space so that the PDO, for the first time, was able to provide a physical office devoted solely to juvenile representation.

These are just a representative sample of the transition the PDO has made over the last several years. As Chief District Defender for the 26<sup>th</sup> Judicial District since 2010, I have had the opportunity to be a part of the changes made in the district and I am very proud of our progress. There is a different atmosphere in the PDO. Attorneys are always present in the office working their files, collaborating with one another, and providing zealous representation to their clients.

Even though we have transformed the district, there are still things that the PDO desperately needs. For example, there is a lack of office space in both Bossier and Webster parishes. The Webster Parish office is in need of such massive amounts of repair that the staff there needs to be relocated to another office which would involve taking on more expenditures which we are not able to do at this time. The PDO needs more staff attorneys since the six we have now provide representation in both parishes. Staff attorneys must cover all travel expenses to rural jails, training, etc. The hiring of expert witnesses must be done judiciously. Unfortunately, we are simply unable to provide these things due to a lack of funding.

However, the necessary improvements that were made, along with reduced funding from the state and a decrease in local revenues, resulted in a depletion of reserves. Without the proper funding we need to maintain the successes the PDO has had over the last several years, we will revert back to our former situation of being unable to provide competent and effective representation.

## **PROTECTED WORK PRODUCT**

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## **OVERVIEW OF SERVICE RESTRICTIONS**

The 26<sup>th</sup> Judicial District Public Defender Office is a hybrid office employing both full-time and contract attorneys, all of whom are dedicated to the representation of indigent clients. The PDO recognizes that full-time attorneys and staff provide the most efficient delivery of services. However, due to court locations and schedules, there are some instances where the PDO contracts with attorneys to provide services. In addition to employing eight full-time attorneys, the PDO contracts with three misdemeanor/juvenile attorneys to provide representation in Bossier City Court, Minden City Court, and Springhill City Court. Also, the PDO contracts with two attorneys to handle juvenile proceedings. Two additional attorneys are under contract to handle CINC conflicts. A seven-member panel handles felony cases that cannot be handled by full-time staff attorneys due to conflicts.

To reduce expenditures, the PDO will restrict services by reducing its conflict attorneys from seven attorneys to two experienced conflict attorneys for the most serious felony cases. It is possible that the court will assign the balance of the cases to the private bar. If appointed to represent clients in these cases, the private bar may be able to access PDO funds for expert witness fees and investigative resources, per the discretion of the Chief District Defender, who will provide an application form for that purpose. Any services provided by the private bar will be pro bono. Investigation and expert witness expenses are limited, and are not subject to reimbursement unless pre-approved by the Chief District Defender before expenses are incurred. Any cases that are assigned to the private bar will be monitored by the PDO to ensure that there is an equitable distribution of cases.

Any conflicts that arise in misdemeanor cases will be placed on a waiting list unless assigned by the court to the private bar. These cases are few in number and are presently being handled by the conflicts panel.

Some supervisory staff attorney positions are being replaced by staff attorney positions that will be at lower salaries. The Chief District Defender will assume those supervisory duties. The Office Manager will handle any administrative duties of those supervising attorneys since her duties were reduced with the use of a CPA firm.

The following reflects the savings to the PDO for the remainder of FY 2015:

|                                      |              |
|--------------------------------------|--------------|
| Operating Expense Reductions         | \$45,721.75  |
| Felony Conflict Panel Reduction      | \$58,300.00  |
| Staffing Changes                     | \$5,900.00   |
| TOTAL SAVINGS                        | \$109,921.75 |
| PROJECTED BUDGET DEFICIT FOR FY 2015 | \$109,894.73 |

The Chief District Defender is currently redistributing juvenile cases among the juvenile staff and contract attorneys to more equitably distribute the caseloads. If the caseloads become excessive such that it is determined that the clients served by the PDO are not receiving competent representation, the Chief District Defender will notify the court and file an amended Restriction of Services Protocol allowing the court to appoint the private bar or any other reasonable alternative. Likewise, if any caseloads in any of the courts that the PDO serves become such that it is determined that the PDO clients are not receiving competent representation, the Chief District Defender will notify the court and file an amended Restriction of Services Protocol allowing the court to appoint the private bar or any other reasonable alternative.

The Chief District Defender will closely monitor all caseloads throughout the district. If at any time the Chief District Defender determines services need to further be restricted so as not to harm the clients to whom the PDO provides services, she will immediately notify LPDB and submit an Amended Restriction of Services Protocol.

### **SCHEDULE OF IMPLEMENTATION**

One conflict attorney terminated his contract effective December 31, 2014. This resulted in six attorneys on the conflict panel. Notice of the termination of all six of the remaining conflict contracts was issued on February 2, 2015. All conflict contracts are

terminated effective March 4, 2015. Two contracts will then be offered to two of the six felony conflict counsel after a competitive re-application process and careful evaluation by the PDO.

### **TRANSITIONING CASES**

In the process of developing the service restriction protocol, the Chief District Defender reviewed the caseload of our full-time and contract/conflict attorneys, and determined that the majority of the conflict attorney caseload involved relatively minor felony charges (i.e. theft, burglary, drug possession/distribution, forgery, felony-grade battery, unauthorized use of a movable, and illegal possession of stolen goods). These cases will be placed on a waitlist unless handled by the private bar. The remaining, and more serious cases, would remain with the two conflict counsel we retain under contract. Clients who are incarcerated will also be prioritized when assigning new cases to conflict counsel.

Notice of termination of the conflict contracts was sent to all counsel on February 2, 2015. At that time, the conflict attorneys were notified of the two conflict contracts that will be available March 5, 2015. In speaking with conflict counsel over that last few months as we were anticipating restriction of services, it is believed that there will be an interest in those contracts by some of those attorneys. The annual contract amount will be \$31,800. All those interested will be interviewed individually. The two attorneys selected will be those who have demonstrated a zealous representation of their clients, proficiency and timeliness entering data into the Defender Data System, and a willingness to maintain the records that will be required during the restriction of services.

There are six divisions of court in each of the two parishes served. Under the previous contracts, each of the six conflict attorneys assigned to Bossier Parish handled conflict cases assigned to one of the judges. If there was a case where there was more than one conflict, a rotation was used to whereby one of the six would be a back-up conflict attorney for another division of court. In Webster Parish, there were two conflict attorneys, each of whom handled three divisions of court since the caseload was much lower than in Bossier Parish. If there was an instance where an additional conflict attorney was needed in Webster Parish, the Bossier conflict attorney assigned to the division that had the Webster case would serve as back-up in Webster Parish. The new contracts would consist of a contract in Bossier Parish for the more serious cases in all divisions and a contract in Webster Parish for the more serious cases in all divisions.

We define “serious crimes” as all sex crimes requiring registration, all crimes with high mandatory minimums without benefits (i.e. armed robbery or felon in

possession of a firearm), and crimes with very high sentencing ceilings (i.e. manslaughter or attempted murder). In making a determination of case seriousness or complexity, we equally consider the statute on its face, how the statute is prosecuted in this jurisdiction, and the difficulty of presenting a defense. Additionally, after careful review of a particular case, if there are other factors that make it particularly difficult, that case will be assigned to the conflict counsel under contract with the PDO rather than be placed on the waiting list. If the court assigns the private bar for pro bono representation, the bar will not be assigned any cases that potentially involve sex offender registration, armed robbery charges, or felony possession of a firearm. Kidnapping and home invasion charges will receive close scrutiny and likely be referred to the conflict counsel under contract. We will also protect the private bar from seemingly complicated cases, such as a client with six or seven cases, and cases in which there are a large number of counts, such as a client charged with 18 counts of car burglary.

There are instances when charges are superceded, amended, or added by the State to convert a lesser felony into one that should be handled by our contract conflict attorneys. We are mindful of this possibility and will monitor cases and court minutes closely to address such events. If a situation does arise in which contract conflict counsel should be handling a particular case, any private attorney who has been appointed will be contacted by the PDO to substitute counsel accordingly.

The Chief District Defender will monitor the caseloads of each of the two remaining conflict attorneys on at least a weekly basis. We do not see the caseload rising above 75 cases for each attorney. We presently monitor caseloads of conflict attorneys using the Defender Data System. We will continue to aggressively monitor the required timekeeping reports that the non-full-time lawyers dedicate to their indigent clients through their contract with the PDO.

Conflict counsel will still be supervised by the Chief District Defender in the sense that we will still have all support systems in place regarding the payment of investigators and expert witnesses. The PDO will encourage conflict counsel to utilize those services when needed.

The cases already handled by conflict counsel will be reviewed to determine the number of pending cases to which each of those attorneys is presently assigned. It is believed that the number of cases will be such that those cases will stay with the two remaining conflict attorneys. It is hoped that the District Attorney's Office will assist in timely resolving enough of those cases so that any new serious felonies may be assigned to the conflict attorneys and none will need to be reassigned to the private bar or placed on a waitlist. All new charges will be reviewed individually, first to determine whether



the PDO has a conflict and then to determine whether the new charges are serious felonies and should, therefore, be assigned to conflict counsel.

Felonies and misdemeanor cases presently assigned to the staff attorneys in district court will remain with those attorneys. Likewise, any new cases that would typically be assigned to staff attorneys will continue to be assigned to the PDO staff attorney assigned to whichever division of court to which the case is assigned. Any misdemeanor cases in district court in which a conflict arises will either be placed on a waitlist or may be assigned to a member of the private bar.

The attorneys under contract with the PDO to handle city court misdemeanor cases will still handle all pending and new cases in all city courts to which the PDO provides services. The PDO has in place a method of handling any conflicts that arise in the city courts. This will remain unchanged and will not be affected by this restriction of services protocol.

Juvenile cases will be redistributed among the attorneys who currently handle juvenile cases to provide a more equitable distribution of caseloads. Once the cases are reassigned, the attorneys will contact each client within seven days to introduce themselves to the client, notify him/her of the change in representation, and provide the client with the new attorneys contact information. The new attorney will schedule a face-to-face meeting with each client as soon as practicable.

The Chief District Defender will monitor all caseloads throughout the time services are restricted.

#### Assignment of Pending Cases:

When restriction of services begins on March 5, 2015, it is anticipated that there will be approximately 350 pending felony charges and 150 misdemeanor charges previously assigned to the contract conflict attorneys that would either need to be reassigned to the private bar, if the court elects to do so, or these cases would need to be placed on a waitlist for an attorney. These numbers could change based on the number of pending cases when services are actually restricted on March 5, 2015. However, it is anticipated that the current conflict attorneys will keep a portion of these pending cases. The judges have been consulted and are aware of this. Since the number of pending cases will more than likely change due to several more court dates between the preparation of this protocol and the actual implementation of it, the exact number will be provided to the court in as timely a fashion as possible. The presidents of the local bar

associations have been contacted regarding the upcoming restriction of services. We are preparing a letter to circulate to the local bar associations in the event the court elects to appoint the private bar to these pending conflict cases. These letters are being sent prior to the start of the restriction of services to inform as many members of the private bar as possible of how the process of restriction of services will take place, how the cases will be assigned, as well as the support that will be given by the PDO and our assurances that this arrangement is temporary. The PDO hopes that these letters will serve to start a dialogue between the PDO, court and private bar regarding the process and anything else that will make the transition easier for all concerned, especially the clients whom the PDO serves. If pending cases are assigned to the private bar, individual motions to withdraw and to reappoint counsel from the bar will be filed in each case with notice to both the client and the appointed attorney. The appointed attorney will be contacted by telephone, as well, to ensure an expedient transfer of the physical file.

#### Assignment of New Cases:

The vast majority of the conflict cases assigned to PDO are so assigned at the 72-hour or Right to Counsel hearing which occurs every day of the week in Bossier Parish and on Monday, Thursday and Friday in Webster Parish. The PDO has attorneys present at those hearings. The PDO receives a list of all case assignments and are presently tasked with determining which of those cases must be assigned conflict counsel. This is usually done that day. That process will remain unchanged. In order to ensure that the PDO represents as many clients that it ethically can (within the Rules of Professional Conduct), the Chief District Defender will make a determination of appointment by considering the charges pending against the client. If it is determined to be a serious felony offense, the case will be assigned to one of the two conflict attorneys under contract with the PDO. If it is not, the PDO will notify the court that may then either appoint a private attorney from the roster provided by the Louisiana State Bar Association to represent the client or place the client on the waitlist. Whenever counsel is secured for that client, whether from the private bar or from the two conflict attorneys, the PDO will then prepare a motion to withdraw PDO from the case and insert the name and address of the attorney to be assigned to the case in the body of the motion, along with a service request to that attorney. The PDO will separately send a letter of notice to the client. The PDO will also notify the attorney. If it is a member of the private bar, this notice will provide contact information to this office for any complaints and procedural questions they may have. Notice of appointment to both counsel and the client will be done within one business day of appointment, as well. The motion might take an additional business day, as it will need a judge's signature.

## Data Management:

As with all cases, when the PDO is assigned the case initially by the court, a file is immediately opened. That file will remain open until the motion to withdraw and appoint new counsel has been signed and filed into the record. However, since the PDO's state funding is significantly calculated based on caseload, LPDB will create a new status so that the PDO can record the number of cases that are delegated to the private bar, so that future funding is not negatively impacted.

## PDO Assistance to the Private Bar:

Should the members of the private bar be appointed to any conflict cases in the district, the PDO will have a package of materials available for those attorneys if they wish. This packet will include basic motions such as discovery motions, bond reduction motions, motions to suppress and motions to quash, to name a few. Information about preliminary examinations, habitual offender proceedings and any other resource the PDO has available to share with those attorneys including LPDB's *Trial Court Performance Standards* which the PDO uses routinely as a checklist, of sorts, in ensuring that all clients are receiving the best representation possible. Additionally, the PDO will schedule meetings/seminars with the private bar as a further resource.

The PDO can also offer other limited assistance while mindful of the delicate relationship we must maintain due to our conflict appointments. The PDO has an extensive plea and motion library in its office and will gladly share any resource it possesses with members of the bar. The PDO already provides briefs and motions to the private bar, so this will not be a change of any significance. We also possess various practice manuals and publications that will be shared with the bar.

The PDO will urge any attorneys of the private bar who are appointed to keep records of the time spent on these cases, as it believes it will be beneficial to them and to the PDO. The PDO wants to be certain these attorneys are not overwhelmed so it would request counsel to be able to document their workload to avoid just that situation and to be able to quantify the pro bono work the local bar is doing for the community, for the Louisiana State Bar Association and other legal leaders and justice advocates. Keeping records will allow them to do that. Finally, PDO would like records of the work done by the private bar, both for its use and for the use of the LPDB.

## COMMUNICATION

The Chief District Defender will be the media point person within the PDO. The point person for the 26<sup>th</sup> Judicial District Court is Chief Judge Parker Self. Point person for the Bossier Bar Association is Ryan Gatti. The Webster Bar Association point person is Charles Smith.

For purposes of news releases, the PDO will be primarily responsible. All news releases will be provided to the LPDB for review and comment prior to release.

### Protocol for Communication with Criminal Justice Agencies and Stakeholders:

Thus far, the PDO has been in communication with the 26<sup>th</sup> Judicial District Judges, the Judicial Administrator and the District Attorney as well as the Police Juries, Sheriffs and Clerks of Court of both Bossier and Webster parishes. All judges were provided with a general copy of the Restriction of Services Protocol as soon as it was adopted due to the belief that the PDO would indeed be implementing restriction of services in our district at some point. The Chief District Defender maintained close contact with the judiciary and other stakeholders. When it became apparent that the PDO would be restricting services during FY 2015, the Chief District Defender met with all stakeholders at the regular scheduled agency meetings to discuss and answer any questions regarding why and how the PDO would be restricting services. She has also met with judges to discuss the implementation of the protocol. Our office will issue a news release and a letter to the members of the local bar the week of February 23, 2015. Prior to the press release, the PDO will notify the Chief Justice of the Louisiana Supreme Court, President of the Louisiana State Bar Association, all members of the local judiciary, the District Attorney, the Presidents of the local bar associations, the Sheriffs, the Parish Administrators, and all local legislative representatives. The PDO is committed to clear, consistent and proactive communication with all our criminal agency-stakeholders and other affected parties.

### Strategies to Cultivate Advocates:

Within the PDO, teamwork and cooperation are encouraged. The PDO believes mistakes should be discussed privately and used as learning opportunities, while victories and inspiration should be made known to all. The office has always maintained a good relationship with the media in order to recognize an attorney's hard work as well as give the community the opportunity to see the diligent work being done by the PDO. Whenever private counsel is appointed and has success in defense of an indigent client, every effort shall be made to send notice of those victories, large and small, to the local

bar associations through publications and mass e-mails as well as to the media whenever possible.

The PDO is in the process of preparing a packet of materials including sample motions, a checklist for criminal cases, and other helpful information for any members of the private bar who are appointed to use as needed. It is also seeking to offer some sort of CLE where the private bar can obtain useful information about handling criminal cases as well as CLE credits. The PDO would also like to find some manner in which to recognize those members of the private bar who provide the legal representation to its clients that it was unable to provide at this time due to budgetary constraints.

The PDO will pursue meetings with legislative delegates, bar leadership, and other community partners to remediate the current service restriction, and to build sustained relationships that are mutually committed to ensuring that the PDO has sufficient resources to provide effective defense services to all eligible clients in Bossier and Webster Parishes.

### **QUALITY ASSESSMENT**

The PDO will work with Defender Data System, its IT support staff and any other available resources to create a program to provide monthly reports to assist the office in determining the impact of the Restriction of Services Protocol on our delivery of services and upon our clients. In particular, the PDO would like to track the following:

- The total number of conflict cases being handled by conflict attorneys versus the total number being handled by the private bar versus the total number of cases on the waitlist each month;
- The number of cases assigned to conflict counsel versus the number assigned to private attorneys versus the number placed on a waitlist over the course of the month;
- The number of cases closed by conflict counsel versus pro bono attorneys over the course of the month;
- The number of requests by pro bono attorneys for assistance from the PDO;
- The number of attorneys attending PDO seminars;
- The number of assigned cases that go to trial;
- The number of assigned cases that result in a guilty plea; and
- Average arrest-to-disposition time for conflict attorneys versus pro bono attorneys.

## **EFFORTS TO REMEDIATE THE RESTRICTION OF SERVICES PROTOCOL**

Since the earliest projections of an anticipated restriction of services, the PDO has made various efforts to remediate the ROS protocol. The PDO has approached the judges of the 26<sup>th</sup> Judicial District Court, as well as city court judges for Bossier City, Minden, and Springhill, discussing the importance of pursuing partial indigency fees. All of the judges are making a concerted effort to conduct a proper colloquy with potential clients regarding their financial status. They have also acknowledged that this is an on-going process that sometimes has to be raised well after the initial determination of indigency, as many of the PDO clients obtain good employment after the office is appointed to represent them. The courts have also become more diligent in assuring the \$40 application fee is paid when the client is able to make that payment. The assessment of partial indigency fees from those defendants who are indigent, but financially able to offset the cost of their representation, is being utilized more to increase revenues for the office. The PDO participates in the Louisiana Department of Revenue Offset Program wherein information regarding those clients who still owe money to the PDO is submitted allowing the PDO to garnish state tax refunds to cover any fees owed. Also, the Bossier Sheriff is participating in the program this year to collect fines owed it which should result in the PDO receiving further local revenues.

## **LITIGATION**

The PDO has considered the possibility of litigation due to the restriction of services. The PDO closely adhered to the terms of the conflict contracts and were mindful of them when it terminated all conflict contracts with over 30 days' notice, as required by those contracts. The PDO will select our two remaining conflict attorneys from the pool of six conflict attorneys. Discussions began with the conflict attorneys several months prior to the notice of termination. The PDO was in communication with the conflict attorneys throughout the process of determining exactly when the contracts would be terminated. All were personally informed of the decision and the PDO went to great lengths to ensure that all attorneys were aware of the process and that it was fair and open. It should be noted that it is with considerable difficulty that the PDO is forced to eliminate the contracts of four attorneys. All of those attorneys who have served on the conflict panel are skilled and practice with the utmost professionalism in zealously representing their clients. The termination of those four attorneys will be no reflection whatsoever on their abilities and performance as a conflict attorney. The termination is solely a factor of the funding crisis the PDO is facing. The PDO appreciates the work of each of those attorneys.